

THE HONORABLE MARSHA J. PECHMAN

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT  
AT TACOMA**

N.H., a minor, by and through his parents and  
guardians, DINA HORTON,

Plaintiffs,

vs

CENTRALIA SCHOOL DISTRICT, and  
PENNY FUGATE and JOHN DOE FUGATE,  
and their marital community composed thereof,

Defendants.

No. 3:22-cv-05496-MJP

~~[PROPOSED]~~ ORDER APPROVING  
MINOR SETTLEMENT

The Report of Settlement Guardian ad Litem and Stipulated Motion to Approve Minor Settlement on behalf of the above-named minor, N.H. having been filed, the Court finding that the facts set forth give the Court jurisdiction over this matter and that pursuant to LCR 17(c); now, therefore,

THE COURT ORDERS:

**I. SETTLEMENT**

10.1 The \$32,500 settlement between the parties is approved.

~~[PROPOSED]~~ ORDER APPROVING MINOR  
SETTLEMENT - 1  
3:22-cv-05496-MJP

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10.2 The Distribution of proceeds on behalf of the above named minor child into the trust account of James Bible Law Group for \$32,500. Payments from the \$32,500 will be made for attorney fees totaling \$10,833.33 and attorney costs of \$1,930.42, respectively.

10.3 The Court directs the remaining \$19,736.58 to deposited into a blocked bank account to be withdrawn only when the minor reaches the age of eighteen (18), unless by order of the Court. Plaintiff's counsel shall set up the blocked account with a qualified bank. A summary of the distribution is as follows:

Distribution of Total Settlement Amount for N.H.

Settlement Amount:	\$32,500.00
Attorney's Fees:	\$10,833.00
Costs:	\$1930.42
<b>Net Proceeds:</b>	<b>\$19,736.58</b>

10.4 Upon turning the age of 18 years, and upon presentation of this Order and proof of identity and age, funds held in deposit shall be released to N.H. without further Court order.

10.5 The minor's attorney shall prepare and file a Receipt of Funds upon establishment of the chosen blocked account. Upon filing the Receipt of Funds, the Settlement Guardian ad Litem's duties will be terminated and shall be discharged regarding all matters related to the settlement reached under this cause.

## II. SETTLEMENT GUARDIAN AD LITEM FEES AND TERMINATION OF RESPONSIBILITIES

Settlement Guardian ad Litem fees and costs in the amount of \$1,000.00 shall be paid by Defendant Centralia School District and/or its insurer in addition to amounts paid in settlement.

~~PROPOSED~~ ORDER APPROVING MINOR  
SETTLEMENT - 2  
3:22-cv-05496-MJP

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The settlement Guardian ad Litem's duties and responsibilities shall terminate following court approval of this settlement.

#### **IV. PRESENCE AT HEARING TO APPROVE SETTLEMENT**

Neither the presence of Plaintiff's or Defendant's attorneys, nor the presence of Settlement Guardian Ad Litem, Bronson Brown, nor the presence of the parents of the minor child was found to be necessary to approve the settlement.

Dated this 23rd day of June, 2023.



HONORABLE MARSHA J. PECHMAN  
UNITED STATES DISTRICT JUDGE

Presented by:

SIMMONS SWEENEY FREIMUND  
SMITH TARDIF PLLC

/s/ Shane P. Brady

Bret S. Simmons, WSBA#25558  
Shane P. Brady, WSBA #34003  
*Attorneys for Defendant Centralia  
School District*

JAMES BIBLE LAW GROUP  
VALDEZ LEHMAN, PLLC

/s/Jesse Valdez

James Bible, WSBA #33985  
Jesse Valdez, WSBA #35378

~~[PROPOSED]~~ ORDER APPROVING MINOR  
SETTLEMENT - 3  
3:22-cv-05496-MJP

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26 ~~[PROPOSED]~~ ORDER APPROVING MINOR  
27 SETTLEMENT - 4  
28 3:22-cv-05496-MJP

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